

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CMR CONSTRUCTION AND ROOFING,
LLC

Plaintiff,

v.

Case No: 2:20-cv-867-JLB-MRM

UCMS, LLC,

Defendant.

ORDER

The Magistrate Judge has entered a Report and Recommendation, recommending that Defendant's Motion for Entitlement to Fees (Doc. 55) be denied without prejudice. (Doc. 66.) No party has objected and the time to do so has expired.


A district judge may accept, reject, or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). In the absence of objections, a district judge is not required to review the factual findings in the report de novo, but legal conclusions are reviewed de novo even without an objection. Id.; Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993).

After an independent review of the record, and noting the lack of any objection, the Court agrees with the well reasoned Report and Recommendation.

Accordingly, it is **ORDERED**:

1. The Report and Recommendation (Doc. 66) is **ADOPTED** and made a part of this Order for all purposes.
2. Defendant's Motion for Entitlement to Fees (Doc. 55) is **DENIED without prejudice** to Defendant's ability to renew the motion, if appropriate, within fourteen (14) days of the Eleventh Circuit's decision on the pending appeal.

ORDERED at Fort Myers, Florida, on February 9, 2022.



JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE